IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 5316 of 2005**

Between:

V. Thimma Reddy S/o Konda Reddy
R/o H. No. 11/2, Nehru Street, Piler, Chittoor District

**... PETITIONER**

AND

1 The District Collector, Chittoor District, Chittoor
2 The Chief Executive Officer, Zilla Parishad, Chittoor
3 The Executive Officer, Piler Gram Panchayat Piler Chittoor District
4 V. C. Harinath ReddyS/o lte Chandra Sekhar Reddy
Prop S.V. Deluxe Theatre Piler, Chittoor District

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 1 to 3 in not initiating the proceedings of eviction of the third parties from the land situated in Sy. No. 207/2 admeasuring about Ac. 0.30 cents at Nehru Bazar, Piler, Chittoor District, donated by Sri Varanasi Konda Reddy under the registered Gift deed dated 6-1-1926 to the Gram Panchayat Piler as illegal and arbitrary and consequently direct the respondents to evict the third parties from the above said land to restore the library started by the father of the petitioner Sri Late Konda Reddy under the name and style of Sri Gokhale Reading Room and library".

**Counsel for the Petitioner: MR.N.PRAMOD**

**Counsel for the Respondents 1 to 3: GP FOR REVENUE**

**The Court at the stage of admission made the following:**

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**ORDER:**

This writ petition is filed seeking a declaration that the alleged action of the respondents 1 to 3 in not initiating the proceedings for eviction of third parties from the land situated in Sy.No.207/2 admeasuring about Ac.0.30 cents at Nehru Bazar, Piler, Chittoor District as arbitrary and illegal.

The petitioner states that the said land was donated by his father late Konda Reddy under a registered gift deed dated
26-01-1926 to the Grampanchayat, Piler, for running a library under the name and style of “Sri Gokhale Reading Room and Library”.

The petitioner states that for some time the library was successfully maintained. However, one Chandra Sekhar Reddy, who is the eldest son of the Konda Reddy has taken possession of the premises and let out the same to third parties and in spite of the demands made by the petitioner to vacate the same, he failed to do so. The petitioner states that though he made several representations, the respondents 1 to 3 have failed to restore the public library. Hence this writ petition.

Having heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondents 1 to 3,
I deem it appropriate to dispose of the writ petition granting leave and liberty to the petitioner to make an appropriate representation before the respondents 1 to 3 furnishing the particulars of the gift in favour of the Grampanchayat. If any such representation is made by the petitioner, the same shall be considered by the respondents 1 to 3 and appropriate steps be taken after conducting due enquiry, in accordance with law.

The Writ Petition is accordingly disposed of. No order as to costs.

**G. ROHINI, J**

**Dated: 16-03-2005**

**Note: Furnish C.C. in a week**

**B/o.**

**LSK**

ASSISTANT REGISTRAR

To

1 The District Collector, Chittoor District, Chittoor
2 The Chief Executive Officer, Zilla Parishad, Chittoor
3 The Executive Officer, Piler Gram Panchayat Piler Chittoor District
4 Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderaba. (OUT)

5 Two C.D. copies.